

Court No. - 1

Case :- WRIT - C No. - 10359 of 2023

Petitioner :- M/S N.K.G Infrastructure Ltd. New Delhi Thru. Attorney R.K. Sharma

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of P.W.D. Civil Secrt. Lko. And Others

Counsel for Petitioner :- Anurag.S.Kaalesh

Counsel for Respondent :- C.S.C.,Ram Ratan

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Vakalatnama filed by Shri Shishir Jain learned counsel on behalf of the opposite party nos. 2 and 3 is taken on record.
2. Heard learned counsel for the petitioner, learned Standing Counsel for the State and learned counsel for the opposite party nos. 2 and 3.
3. Admittedly, the work orders have been issued to the petitioner for carrying out some electrical cable work. Dispute has arisen between the parties as regards the performance of the contract satisfactorily and the release of the amount against the work carried out by the petitioner
4. Arbitration clause seems to be absent in the work contract issued in favour of the petitioner. Thus, the dispute essentially has assumed the colour of a civil dispute between the parties. Nonetheless, in the circumstances of the case, we permit the petitioner to make a detailed representation enclosing all the relevant documents, according to which, the payment against the work performed is due.
5. In case there is any admitted amount as per the claim laid by the petitioner, the same shall be considered and decided by the competent authority expeditiously in accordance with law. The payment found due, if any, shall also be released without delay.

6. For any surviving dispute, if any, it shall be open to the petitioner to avail the appropriate remedy before the competent civil court.

7. The writ petition is accordingly disposed of.

Order Date :- 29.11.2023
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